

### § 103. Trees, shrubs, and plants, in greenhouses and nursery

On and after June 20, 1878, only such trees, shrubs, and plants shall be propagated at the greenhouses and nursery as are suitable for planting in the public reservations, to which purpose only the said productions of the greenhouses and nursery shall be applied.

(June 20, 1878, ch. 359, 20 Stat. 220.)

#### CODIFICATION

Section is based on Sundry Civil Appropriation Act June 20, 1878, fiscal year 1879.

#### TRANSFER OF FUNCTIONS

Functions of all officers, agencies, and employees of Department of Agriculture transferred, with certain exceptions, to Secretary of Agriculture by Reorg. Plan No. 2 of 1953, §1, eff. June 4, 1953, 18 F.R. 3219, 67 Stat. 633, set out in the Appendix to Title 5, Government Organization and Employees.

### § 104. Commission of Fine Arts

A permanent Commission of Fine Arts is created to be composed of seven well-qualified judges of the fine arts, who shall be appointed by the President, and shall serve for a period of four years each, and until their successors are appointed and qualified. The President shall have authority to fill all vacancies. It shall be the duty of such commission to advise upon the location of statues, fountains, and monuments in the public squares, streets, and parks in the District of Columbia, and upon the selection of models for statues, fountains, and monuments erected under the authority of the United States and upon the selection of artists for the execution of the same. It shall be the duty of the officers charged by law to determine such questions in each case to call for such advice. The foregoing provisions of this section shall not apply to the Capitol Building of the United States and the building of the Library of Congress. The commission shall also advise generally upon questions of art when required to do so by the President, or by any committee of either House of Congress. Said commission shall have a secretary and such other assistance as the commission may authorize, and the members of the commission shall each be paid actual expenses in going to and returning from Washington to attend the meetings of said Commission and while attending the same.

(May 17, 1910, ch. 243, §1, 36 Stat. 371.)

#### SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in section 106 of this title.

### § 105. Secretary and executive officer

The officer in charge of public buildings and grounds shall be the secretary and shall act as the executive officer of the Commission of Fine Arts.

(June 25, 1910, ch. 384, 36 Stat. 728.)

#### CODIFICATION

Section is based on Sundry Civil Appropriation Act June 25, 1910, fiscal year 1910.

### § 106. Authorization of appropriations

There are authorized to be appropriated such amounts as may be necessary to carry out the provisions of section 104 of this title.

(May 17, 1910, ch. 243, §2, 36 Stat. 371; May 25, 1955, ch. 76, 69 Stat. 66; Pub. L. 86-461, May 13, 1960, 74 Stat. 128.)

#### AMENDMENTS

1960—Pub. L. 86-461 substituted “There are authorized to be appropriated such amounts as may be necessary to carry out the provisions of section 104 of this title” for “To meet the expenses made necessary by section 104 of this title an expenditure of not exceeding \$35,000 a year is authorized”.

1955—Act May 25, 1955, increased amount authorized for annual expenses from \$10,000 to \$35,000.

### §§ 107, 108. Omitted

#### CODIFICATION

Section 107, act Mar. 3, 1899, ch. 458, §1, 30 Stat. 1377, related to control and jurisdiction of wharf property in District of Columbia.

Section 108, act Mar. 3, 1899, ch. 458, §2, 30 Stat. 1378, related to District of Columbia wharf property and the authority to make rules and regulations relating to leases and rents.

### §§ 109, 109a. Repealed. July 18, 1940, ch. 634, §§ 1, 2, 54 Stat. 764

Section 109, act July 18, 1940, ch. 634, §1, 54 Stat. 764, related to inspection of fuel in District of Columbia and repealed R.S. §§3711, 3712, 3713, from which section 109 was derived, but made no mention of acts Mar. 2, 1895, ch. 177, §6, 28 Stat. 808; Mar. 15, 1898, ch. 68, §6, 30 Stat. 316; June 10, 1921, ch. 18, §§301, 304, 42 Stat. 23, 24, which were amendments to R.S. §3711.

Section 109a, act July 18, 1940, ch. 634, §2, 54 Stat. 764, repealed those parts of acts Mar. 15, 1934, ch. 70, title I, 48 Stat. 438; May 14, 1935, ch. 110, 49 Stat. 234; June 23, 1936, ch. 725, 49 Stat. 1844; May 14, 1937, ch. 180, title I, 50 Stat. 154; Mar. 28, 1938, ch. 55, 52 Stat. 139, from which section 109a was derived, and which related to purchases of coal and wood by Procurement Division; application of statutory requirements as to weighing, etc., but failed to repeal act May 6, 1939, ch. 115, title I, 53 Stat. 674, and act Mar. 25, 1940, ch. 71, title I, 54 Stat. 69, which contained similar provisions. Similar provisions were also contained in Treasury Department Appropriation Acts of June 30, 1943, ch. 179, title I, 57 Stat. 262; Mar. 10, 1942, ch. 178, title I, 56 Stat. 161; May 31, 1941, ch. 156, title I, 55 Stat. 226. No subsequent act contained those provisions.

### §§ 110 to 112. Repealed. Oct. 31, 1951, ch. 654, §1(85-87), 65 Stat. 704

Section 110, act July 1, 1918, ch. 113, 40 Stat. 672, related to fuel storage and distributing yards in District of Columbia and authority of Secretary of the Treasury to select, purchase, contract for and distribute fuel required by the Federal and District of Columbia governments.

Section 111, act July 11, 1919, ch. 9, 41 Stat. 148, excepted naval establishments from operation of section 110 of this title except the naval hospital in District of Columbia.

Section 112, act July 19, 1919, ch. 24, 41 Stat. 200, related to authority of Secretary of the Treasury to contract for the purchase of fuel in advance of the availability of appropriations.

### § 112a. Omitted

#### CODIFICATION

Section, act Mar. 5, 1928, ch. 126, title I, 45 Stat. 186, related to payment of contracts for fuel for public buildings. See sections 474, 481, and 756 of this title.